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July 16, 2007

**BY CM/ECF AND HAND DELIVERY**

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
District of Delaware  
844 King Street  
Wilmington, DE 19801

Re: • *Magten Asset Management Corp. and Law Debenture Trust Co. v. Northwestern Corp.*; C.A. No. 04-1494-JJF  
• *Magten Asset Management Corp. v. Mike J. Hanson and Ernie J. Kindt*; C.A. No. 05-0499-JJF

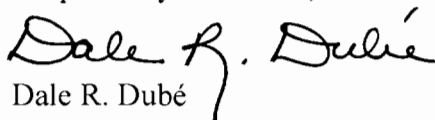
Your Honor:

The parties in the above-captioned cases write to jointly request a moderate extension of approximately 6 weeks to the expert discovery, dispositive motion, pretrial conference and trial dates contained in the (consolidated) Rule 16 Scheduling Order, as delineated in the Stipulation and (Proposed) Order that was filed today (courtesy copy enclosed).

Trial in these cases is currently scheduled to commence on December 3, 2007. The parties are respectfully requesting that trial be rescheduled to commence at the Court's earliest convenience in or after early February 2008, and that the pre-trial conference be set for an appropriate date convenient to the Court's calendar.

Should the Court have any questions, the parties are available by telephone or for an in-person conference if the Court prefers. We sincerely appreciate the Court's attention to this request.

Respectfully submitted,

  
Dale R. Dubé  
I.D. No. 2863

DRD/pb  
Enclosure

B L A N K



R O M E LLP  
COUNSELORS AT LAW

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cc: Clerk of Court (via hand delivery)  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MAGTEN ASSET MANAGEMENT  
CORPORATION and LAW DEBENTURE  
TRUST COMPANY OF NEW YORK,

Plaintiffs,

V.

NORTHWESTERN CORPORATION.

Defendant.

C.A. No. 04-1494-(JJF)

RE: D.I. 94

MAGTEN ASSET MANAGEMENT CORP.,

Plaintiff,

$$V_{\alpha}$$

MICHAEL J. HANSON and ERNIE J. KINDT,

Defendants.

C.A. Action No. 05-499 (JJF)

RE: D.I. 121

**STIPULATION AND (PROPOSED) ORDER  
TO AMEND RULE 16 SCHEDULING ORDER**

All of the parties to the above-captioned actions, by and through their undersigned counsel and subject to the approval of the Court, hereby stipulate and agree to amend the (consolidated) Rule 16 Scheduling Order (D.I. 94 in C.A. No. 04-1494; and D.I. 121 in C.A. No. 05-499), as follows:

A. Paragraph 3(e) is hereby amended to provide that plaintiffs' expert reports are due by September 19, 2007, and defendants' expert reports are due by October 17, 2007.

B. Paragraph 5 is hereby amended to change the date for serving and filing dispositive motions to November 21, 2007.

C. Paragraph 7 is hereby amended to provide that the date and time for the Pretrial Conference is changed to \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

D. Paragraph 8 is hereby amended to provide that Trial will commence at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 2008.\*

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*Attorneys for Defendants Mike J. Hanson  
and Ernie J. Kindt*

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Honorable Joseph J. Farnan, Jr.  
United States District Court Judge

\* The parties respectfully request that trial commence at the Court's earliest convenience in or after early February 2008.